

City of Fort Lauderdale Planning and Zoning Board**STAFF REPORT****Case 10-P-03****June 16, 2004**

Applicant	Inwood Property Investments, Inc.	
Request	Vacate a portion of Hendricks Isle Drive	
Location	60 Hendricks Isle Drive	
Legal Description	Right-of-Way	
Property Size	N/A	
Zoning	RMM-25	
Existing Land Use	Right-of-Way	
Future Land Use Designation	Medium-High Residential	
Comprehensive Plan Consistency	Consistent	
Other Required Approvals	Planning and Zoning Board City Commission	
Applicable ULDR Sections	47-24.6 Vacation of Right-of-Way	
Notification Requirements	Sign Notice, Mail Notice	
Action Required	Approve, Approve with Conditions, or Deny the application	
Project Planner Authorized By Approved By	Name and Title	Initials
	Kevin Erwin, Planner I	
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning and Zoning Manager	

Request:

This is a request to vacate a five-foot wide section of Hendricks Isle Drive adjacent to lots 1-4 of Block 4, of Lauderdale Isles, PB. 16, P. 33.

Property/Project Description:

This item was previously scheduled for the May 19, 2004 Planning and Zoning Board meeting and was deferred by the Board to the June meeting due to the notice sign being located in front of the wrong property.

The applicant is proposing to vacate a five-foot section of Hendricks Isle Drive adjacent to their property. Hendricks Isle is a 70' wide right-of-way adjacent to the applicant's property, but narrows to a 60' right-of way immediately north of the subject site. The applicant intends to incorporate the vacated area into an adjacent development site.

TECO Peoples Gas has indicated that they have no facilities in the area to be vacated and therefore have no objection to the vacation. FPL and Comcast have indicated that they have

facilities in the area to be vacated. FPL is requesting that the applicant retain the vacated portion of the right-of-way as a utility easement. Comcast and Bellsouth have no objection to the vacation as long as the applicant bears all cost for relocation of their facilities.

Prior Reviews:

This application was reviewed by the DRC on August 26, 2003 and all comments have been addressed. The proposal was reviewed by the Property and Right of Way Committee on October 16, 2003 and received a recommendation for vacation with the condition that the entire portion of the right-of-way be retained as a utility easement. Minutes from the Property and Right-of-Way Committee are attached as **Exhibit 1**.

Planning & Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the proposed vacation meets the criteria the Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for vacation of rights-of-way.
2. If the Planning and Zoning Board determines that the proposed vacation does not meet the criteria for vacation of rights-of-way, the Planning and Zoning Board shall deny the application.

Staff Determination:

The applicant has submitted a narrative outlining compliance with the criteria for vacation of right-of-way (attached as **Exhibit 2**) and staff concurs with the applicants assessment.

Staff has determined that the proposed vacation meets the criteria in Sec 47-24.6. and should the request be approved recommends the following conditions:

1. That the entire vacated area be retained as a utility easement.
2. That all utilities that are required to be relocated be done so at the applicant's expense.
3. Final DRC approval.